

Message Text

LIMITED OFFICIAL USE

PAGE 01 TANANA 00188 01 OF 02 271425Z

ACTION AF-08

INFO OCT-01 ISO-00 SCS-03 SCA-01 L-03 H-01 FBIE-00 DHA-02

NSC-05 SSO-00 NSCE-00 /024 W

-----271450Z 067916 /43

O 271351Z JAN 77

FM AMEMBASSY TANANARIVE

TO SECSTATE WASHDC IMMEDIATE 8812

INFO AMEMBASSY CAPETOWN IMMEDIATE

AMCONSUL JOHANNESBURG IMMEDIATE

AMEMBASSY PORT LOUIS IMMEDIATE

AMEMBASSY PRETORIA IMMEDIATE

LIMITED OFFICIAL USE SECTION 1 OF 2 TANANARIVE 0188

E.O. 11652:N/A

TAGS: CASC, MA, SF (LAPPEMAN, EDMOND H.)

SUBJECT: ARREST: E.H. LAPPEMAN

REFS: (A)PRETORIA 0350, (B) STATE 017899

1. CONOFF WAS AFFORDED ACCESS TO LAPPEMAN JAN 27. HE APPEARED WELL AND HAD NO COMPLAINTS ABOUT TREATMENT HE IS RECEIVING, NOTING THAT MALAGASY OFFICIALS HAVE BEEN FRIENDLY AND COURTEOUS. LAPPEMAN HAS BEEN RESIDENT OF SOUTH AFRICA FOR LAST 28 YEARS, BUT SAID HE HAD BEEN PLANNING TO PERMANENTLY LEAVE SOUTH AFRICA SOON WITH HIS FAMILY.

2. MINISTRY OF INTERIOR INVESTIGATION SHOULD BE COMPLETED JAN 28 AND CASE WILL BE PASSED TO TRIBUNAL. THERE HAVE BEEN NO OFFICIAL CHARGES AS YET AND IT IS IMPOSSIBLE TO TELL HOW LONG CASE WILL BE BEFORE TRIBUNAL.

3. FOR AMCONSUL JOHANNESBURG: LAPPEMAN WOULD LIKE HIS WIFE CONTACTED AND TOLD HE IS WELL. HER NAME AND ADDRESS ARE:

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 TANANA 00188 01 OF 02 271425Z

ELIZABETH LAPPEMAN

1 SANDOWN MANOR

SANDTON, STELLA STREET

4. FOR PRETORIA: CONOFF SAW ONE OF SOUTH AFRICANS AT MINISTRY OF INTERIOR. HE APPEARED TO BE IN GOOD HEALTH. EMBASSY RECEIVED FOLLOWING NOTE, PRESUMABLY FROM PILOT

JOHN WIGHT. QUOTE: TELEX PLEASE TO CARLTON HOTEL JOBURG.
TO JANET OR GAIL WIGHT. MESSAGE: PLEASE ADVISE JEAN AND
MR. MARAIS WE ARE FINE AND NOT TO WORRY. JEAN TO CONTACT
GANZ FOR SUMMONS PROBLEMS AND MR. MARAIS FOR MONEY. TRY
AND GET LEAVE FROM AIRWAYS FROM 18TH JAN FOR ABOUT TWO
WEEKS. MR. PIETERSE WILL CONTACT AGAIN WHEN RELEASED.
DON'T WORRY. JOHN. UNQUOTE. PLEASE PASS TO DFA.

5. EARLIER STUMBLING BLOCK TO GAINING ACCESS TO LAPPEMAN
WAS CONTRADICTION BETWEEN VIENNA CONVENTION AND
MALAGASY LAW. LATTER REQUIRES THAT PRELIMINARY INVESTIGATION
BE CONDUCTED IN SECRECY (CODE OF MALAGASY PENAL PROCEDURE,
BOOK 2, TITLE 8, ARTICLE 353) AND FORBIDS ACCESS TO DETAINEE
BY ANYONE UNTIL INVESTIGATION COMPLETED. OFFICIALS IN
TRIBUNAL, AND MINISTRIES OF INTERIOR AND FOREIGN AFFAIRS
ACKNOWLEDGE CONTRADICTION.

6. LAPPEMAN HAS AUTHORIZED RELEASE OF ALL INFORMATION ON
HIS CASE TO MCNAMARA AND SOMBORN. LAPPEMAN WOULD LIKE
SOMBORN TO CABLE 500 DOLLARS TO HIM CARE OF:

LIMITED OFFICIAL USE

NNN

LIMITED OFFICIAL USE

PAGE 01 TANANA 00188 02 OF 02 271431Z
ACTION AF-08

INFO OCT-01 ISO-00 SCS-03 SCA-01 L-03 H-01 FBIE-00 DHA-02
NSC-05 SSO-00 NSCE-00 /024 W
-----271450Z 067975 /43

O 271351Z JAN 77
FM AMEMBASSY TANANARIVE
TO SECSTATE WASHDC IMMEDIATE 8813
INFO AMEMBASSY CAPETOWN IMMEDIATE
AMCONSUL JOHANNESBURG IMMEDIATE
AMEMBASSY PORT LOUIS IMMEDIATE
AMEMBASSY PRETORIA IMMEDIATE

LIMITED OFFICIAL USE SECTION 2 OF 2 TANANARIVE 0188

BCIM TANANARIVE, MADAGASCAR
CREDIT USDO RFC PARIS
ACCOUNT NO. 01 14813 08 291

7. PER REF B, TRANSLATION OF PROTEST NOTE TO MFA FOLLOWS: QUOTE
THE EMBASSY OF THE UNITED STATES OF AMERICA PRESENTS ITS

COMPLIMENTS TO THE DEMOCRATIC REPUBLIC OF MADAGASCAR AND HAS THE HONOR TO INFORM IT THAT FOLLOWING THE ARREST OF AMERICAN CITIZEN EDMOND H. LAPPEMAN, WHO ENTERED ON MALAGASY SOIL JANUARY 18, 1977, THE EMBASSY, AFTER HAVING LEARNED BY THE RADIO OF THE ARREST OF AN AMERICAN CITIZEN, ADDRESSED ITSELF TO THE MINISTRIES OF INTERIOR AND FORIEGN AFFAIRS TO REQUEST PERMISSION TO HAVE CONTACT WITH THE DETAINEE, BUT THE SAID MINISTRIES WERE OPPOSED TO IT.

ACCORDING TO THE VIENNA CONVENTION THE DETAINEE IS SUPPOSED TO BE INFORMED OF HIS RIGHT TO HAVE CONTACT WITH HIS EMBASSY, IF HE SO DESIRES. THE EMBASSY HAD HOPED TO COMMUNICATE WITH THE AMERICAN CITIZEN BUT THE MINISTRIES SAID THEY HAD NO POWER TO GRANT SUCH PERMISSION.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 TANANA 00188 02 OF 02 271431Z

THE EMBASSY REQUESTS THAT FREE ACCESS BE ACCORDED TO ITS VICE CONSUL IN ORDER TO EXERCISE HIS DUTIES ON BEHALF OF AMERICAN CITIZEN EDMOND H. LAPPEMAN. THE ACTIONS OF THE MALAGASY GOVERNMENT ARE CONSIDERED CONTRARY TO THE CLAUSES OF THE VIENNA CONVENTION CONCERNING A CONSUL'S DESIRE TO FULFIL HIS DUTIES ON BEHALF OF HIS CITIZENS OVERSEAS.

MOREOVER, IN REITERATING THE OBJECT OF ITS REQUEST SET FORTH IN ITS NOTE NO. 195 OF SEPTEMBER 19, 1976, THE EMBASSY ASKS THE MINISTRY TO DO WHATEVER IS NECESSARY SO THAT IN THIS CASE AND IN FUTURE CASES THE TEXTS INVOKED BY THE MALAGASY JUDICIARY OFFICIALS TO REFUSE FREE CONSULAR ACCESS BE REVIEWED OR AMENDED WITH RESPECT TO THE VIENNA CONVENTION IN MATTERS CONCERNING THE ARREST OF FOREIGNERS. COMPLIMENTARY CLOSE END QUOTE.

8. COMMENT: IN VIEW OF MALAGASY SENSITIVITIES CONCERNING SOUTH AFRICA, IT IS NOT ADVISABLE FOR THIS EMBASSY TO SERVE AS INTERMEDIARY FOR TWO SOUTH AFRICANS DETAINED ALONG WITH LAPPEMAN. WE WILL FORWARD ANY INFORMATION WE RECEIVE ABOUT THEM BY CLASSIFIED CABLE, BUT WE DO NOT WISH TO JEOPARDIZE LAPPEMAN'S SECURITY BY GOING ANY FURTHER THAN THAT IN THIS CABLE. CASE HAS RECEIVED CONSIDERABLE FRONT-PAGE PUBLICITY IN LOCAL PRESS, OUT OF PROPORTION TO WHAT WE WOULD NORMALLY EXPECT, BECAUSE OF GDRM'S REINVIGORATED ANTI-APARTHEID POLICY. SHEINBAUM

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Sent Date: 27-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977TANANA00188
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770029-1062
Format: TEL
From: TANANARIVE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770111/aaaaajgc.tel
Line Count: 165
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: ccacb5cf-c288-dd11-92da-001cc4696bcc
Office: ACTION AF
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 PRETORIA 350, 77 STATE 17899
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 27-Jun-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3479469
Secure: OPEN
Status: NATIVE
Subject: ARREST: E.H. LAPPEMAN
TAGS: CASC, MA, SF, (LAPPEMAN, EDMOND H)
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/ccacb5cf-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009